

**TOWN COUNCIL
REGULAR MEETING
AUGUST 21, 1996**

1. PLEDGE OF ALLEGIANCE

The meeting was called to order at 7:12 p.m. by Mayor Venis and was followed by the Pledge of Allegiance.

2. ROLL CALL

Present were Mayor Venis, Vice-Mayor Cox and Councilmembers Bush, Kiar and Santini. Also present were Town Administrator Flatley, Town Attorney Webber, and Town Clerk Reinfeld recording the meeting.

3.4 Senator Howard Forman presented Council with a \$100,000 check for recreational improvements at Shenandoah Park. Representative Debbie Wasserman-Schultz stated that this grant would provide a number of recreational programs for the children.

Mayor Venis advised that item 6.26 would be heard at this point in the meeting. No objections were noted.

6.26 Mr. Flatley advised that this agreement was to reconstruct the median on Griffin Road approaching Dykes Road. He stated that an official letter was needed from the board and 80% of the residents in this area were in favor of the median being closed. Mr. Flatley indicated that the Town had agreed to work with Broward County in sharing the cost of the project. He thanked Senator Forman and Representative Wasserman-Schultz for their help. Representative Wasserman-Schultz thanked Council and Jay Enten for their efforts.

Councilmember Santini made a motion, seconded by Vice-Mayor Cox, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

3. PRESENTATIONS

Service Awards

3.1 Bernard Canellas, Police Officer - Ten Years
Officer Canellas was not present.

3.2 Leonard DePaola, Battalion Chief - Ten Years

Mayor Venis stated that Chief DePaola was unable to attend the meeting and read a letter into the record in which Chief DePaola had requested that the value of his award be donated to the Davie Boys and Girls Club. A service award was presented to Chief DePaola later in the meeting.

3.3 Marjorie Jozwiak, Police Officer - Fifteen Years
Mayor Venis presented Officer Jozwiak with a service award.

To Council

3.4 Florida Recreation Development Assistant Program Grant - Senator Howard Forman and Representative Debbie Wasserman-Schultz
This presentation was made earlier in the meeting.

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3.5 West Broward YMCA - Day Camp Programs

An unidentified woman thanked Council for the opportunity to provide summer day camp this year. She indicated that approximately 200 children were served each week and she looked forward to providing future programs in the Town. Dave Pinsker also thanked Council and announced the programs that were accomplished this summer.

3.6 Community Redevelopment Agency

Neal Kalis, Chairman, updated Council on the Agency's efforts.

3.7 Crime Watch of Davie PAC

Maria Sweetman asked the residents to support the referendum for the new police, fire and EMS facility. Mr. Flatley displayed "Vote Today" signs that would be installed in areas of high vehicular activity before any upcoming election.

From Council

3.8 Habitat for Humanity Volunteers

Lou Frazier, representing Habitat, indicated that the cooperation shown by Town officials and staff was fantastic. Mayor Venis advised that certificates would be mailed to the following individuals who helped with the Habitat homes: Jim Aucamp, Aucamps Nursery; Sean Cook, Duke Landscaping, Inc.; Leslie McCall, McCall's Nursery; Matt Tindall, Tindall's Growers; Dave Zeigler, Rainbow Landscaping; Bob Stigall, Brighton Homes; Ron Tomecek, Florida One Builders; Sam Shapiro, Crystal Groves Development; Joanie Witt, Westridge Development; and Larry Cott, Pasadena Homes. Certificates were presented to the following who also helped: Development Services Director Michele Mellgren, Planning and Zoning Manager Gayle Easterling, Zoning Technician Casey Lee, Draftsperson Irene Degroot, Bob Degroot, Development Programs Manager Dan Oyler, Judy and Daniel Oyler, Intern Matt Wilson, Information Systems Specialist Richard Boyhan, Payroll Technician Pat Shupp, Maintenance Technician Dennis Melegari, and Engineering Inspector David Notman.

For their efforts, Mr. Frazier presented certificates to Mr. Flatley, Assistant Town Administrator Robert Rawls, Ms. Mellgren, Assistant Town Engineer Gus Khavanin, Building Official Jim Smith, Ms. Easterling and Zoning Technician Geri Baluss. He also presented a plaque to the community, Council and staff as a whole for welcoming Habitat into the Town.

3.9 Police Athletic League

Police Athletic League Director Renae Griggs discussed the League program. She presented Police Service Aide Ron Martin and Volunteer Matthew Montgomery with plaques and certificates of appreciation for their efforts. Councilmember Kiar thanked Officer Griggs for all her efforts.

Police Chief Jack Mackie advised that the upcoming Civilian Police Academy would begin on September 12th. He stated that at the Davie/Cooper City Chamber breakfast, Joanne Carter was honored as Officer of the Year and Jose Valez was honored as Explorer of the Year. Chief Mackie added that Officer Griggs and Sergeant Gary Killam had made presentations at the Chamber breakfast. He asked that everyone vote on September 3rd.

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4. OCCUPATIONAL LICENSES

Home Occupational Licenses

4.1 Fred M. Azrak Pressure Cleaning, 11061 SW 42 Place

Fred Azrak, representing the applicant, was present. He confirmed that the request was for mail and phone use only.

Councilmember Bush made a motion, seconded by Councilmember Santini, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

4.2 Sunburst Maintenance, Inc., 13730 SW 2 Street

Paula-jean Grant, representing the applicant, was present. She confirmed that the request was for mail and phone use only.

Councilmember Kiar made a motion, seconded by Councilmember Santini, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Mayor Venis announced that items 6.2 and 8.6 would be tabled until September 18, 1996.

Vice-Mayor Cox made a motion, seconded by Councilmember Kiar, to table. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Mayor Venis announced that items 8.7, 8.8, 8.10, 8.11 and 8.12 would be tabled until September 4, 1996.

Vice-Mayor Cox made a motion, seconded by Councilmember Santini, to table. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Mayor Venis announced that item 8.9 was being tabled to October 2, 1996.

Councilmember Kiar made a motion, seconded by Councilmember Bush, to table. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Mayor Venis announced that item 8.2 was being withdrawn. After some discussion, it was decided to take item 8.2 out of order.

Vice-Mayor Cox made a motion, seconded by Councilmember Kiar, to withdraw item 8.2. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

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5. COUNCILMEMBER COMMENTS

COUNCILMEMBER BUSH

PARKS AND RECREATION BOARD. Councilmember Bush stated that he had previously discussed the creation of a Parks and Recreation Board and asked that item 11.1 be discussed at this time. Sharon Pierce-Kent, Director of Community Services explained the Board's purpose and advised that this Board would consist of ten members with each Councilmember appointing two members for a one year term. Councilmember Santini suggested that one of each Councilmember's appointments be for a two year period with the second appointment having a one year term. She stated that this would provide for continuity without interrupting on-going projects.

11.1 Councilmember Bush made a motion, seconded by Councilmember Santini, to approve with the proviso that there be staggered terms of one and two years. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

VICE-MAYOR COX

THANKS. Vice-Mayor Cox thanked Jay Enten for his work regarding the median in the Hawkes Bluff area.

FLORIDA LEAGUE OF CITIES MEETING. Vice-Mayor Cox stated that there were several sessions regarding the telecommunication's tower and the industry. She added that other sessions involved franchises, grants, and Community Redevelopment Agency lighting.

OLD DAVIE SCHOOL. Vice-Mayor Cox stated that she had met with the Department of Transportation (DOT) and Broward County School Superintendent Petruzielo regarding the removal of the building in front of the Old Davie School. She indicated that negotiations were on-going between DOT and the School Board regarding the removal of the building.

TRAIL LINK BRIDGE. Vice-Mayor Cox stated that the bridge for the final link between the Robbins property and the Flamingo Gardens canal bank would be delivered at the end of the week with installation the following week.

GREENWAY'S PROGRAM. Vice-Mayor Cox stated that she had been invited to a trail symposium to speak on the Town's Greenways Program and that the program was well received. She indicated that the State of Florida had a map with all the trails in the State; however, she advised that the Town's trails were not on the map. Vice-Mayor Cox indicated that one of her projects would be for the Town to be placed on this map.

SEPTEMBER 3RD REFERENDUM. Vice-Mayor Cox stated that she hoped the residents would vote and support the bond issue.

SILVER WEDDING ANNIVERSARY. Vice-Mayor Cox announced that tonight was her anniversary and she was looking forward to the next 25 years.

COUNCILMEMBER SANTINI

FLORIDA LEAGUE OF CITIES MEETING. Councilmember Santini advised of the new telecommunication's legislation. She stated that there was a possibility of losing revenues if telecommunication towers were placed on school property and asked that Mr. Webber to research if school's were exempt because they were schools or the type of business that was conducted.

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MIZNER PARK. Councilmember Santini stated that she was interested in how the redevelopment of the Park would effect the redevelopment of the downtown area.

WEDNESDAY MEETINGS. Councilmember Santini stated that later in the meeting, Mr. Flatley would be discussing the scheduling of future special Council meetings on Wednesdays. She explained that by reserving Wednesdays for Council meeting days, the number of staff hours needed to contact Council would be reduced.

COUNCIL. Councilmember Santini discussed the reason Council held office and suggested that many of the resident's needed an annual refresher.

PRAYERS. Councilmember Santini asked everyone to say a prayer for her friend's nephew who drowned.

COUNCILMEMBER KIAR

CONGRATULATIONS. Councilmember Kiar congratulated Vice-Mayor Cox on her 25th wedding anniversary.

HAPPY BIRTHDAY. Kiar wished his friend Jim, a happy birthday.

SCHOOL. Councilmember Kiar hoped that all the children would do well in the upcoming school year.

Bonnie Stafiej, Community Projects Coordinator, indicated that the Family Splash Day would be held on Labor Day at the Pine Island Community Center. She stated that most of the activities were free to the Town's residents and the activities began at 9:00 a.m.

MAYOR VENIS

CONGRATULATIONS. Mayor Venis congratulated Vice-Mayor Cox on her 25th wedding anniversary and Councilmember Kiar on his upcoming birthday.

SCHOOL CROSSING GUARDS. Mayor Venis stated that additional guards would be provided at SW 100 Avenue and Orange Drive, Shotgun Road and 14th Street, 130th Avenue and 8th Street, and Davie Road Extension and University Drive.

FUNDRAISER. Mayor Venis stated that he had attended a fundraiser for Officer Mark Largi who had been involved in an automobile accident.

OAK HILL CRIME WATCH MEETING. Mayor Venis advised that he had spoken at the meeting held at Michael Davenport's home and the new police facility was discussed.

SEPTEMBER 3RD REFERENDUM. Mayor Venis hoped all the residents would support the referendum.

DOLPHIN DAY. Mayor Venis stated that the Second Annual Dolphin Day was held today in conjunction with Nova Southeastern University and the Miami Dolphins. He thanked all those involved with making the day a success.

TRAFFIC STUDY. Mayor Venis stated that he had received a letter from the Shenandoah Homeowners Association's lawyer regarding a traffic study. He asked Mr. Rawls to review the letter and provide a response.

BLASTING. Mayor Venis stated that the Town had an on-going dialogue with Pembroke Pines' mayor and provided an update. He asked Mr. Webber to see if Pembroke Pines could not be persuaded to hear the Town's residents.

CANDIDATES' NIGHT. Mayor Venis advised that he had been the debate monitor for the Davie Merchants and Industrial Association's Candidates' Night.

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6. CONSENT AGENDA

Proclamation

6.1 Florida's Firefighter Appreciation Week, August 26 - September 2, 1996

Resolutions

6.2 PETITIONER REQUESTING A TABLING TO SEPTEMBER 18, 1996

LAND USE PLAN AMENDMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO TRANSMIT A LAND USE PLAN AMENDMENT TO THE BROWARD COUNTY PLANNING COUNCIL WITH APPROPRIATE RECOMMENDATIONS; AND PROVIDING AN EFFECTIVE DATE. (tabled from May 15, 1996) (LA BC 96-2, Rubin/Sunny Lakes, Inc.) Town Council transmitted resolution denying amendment (3-2, June 19, 1996)

6.3
R-96-255 **ISSUANCE OF BUILDING PERMITS - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR AND TOWN ADMINISTRATOR TO ENTER INTO AN AGREEMENT BETWEEN THE TOWN OF DAVIE, BROWARD COUNTY, AND FOREST RIDGE COMMUNITY DEVELOPMENT LTD., RELATING TO THE ISSUANCE OF BUILDING PERMITS WHILE PLATTING IS IN PROGRESS; TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THEIR SIGNATURE TO SAID AGREEMENT. (P 4-1-96, 2400 Nob Hill Road) (tabled from August 4, 1996)**

6.4
R-96-256 **ISSUANCE OF BUILDING PERMITS - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR AND TOWN ADMINISTRATOR TO ENTER INTO AN AGREEMENT BETWEEN THE TOWN OF DAVIE, BROWARD COUNTY, AND FOREST RIDGE COMMUNITY DEVELOPMENT LTD., RELATING TO THE ISSUANCE OF BUILDING PERMITS WHILE PLATTING IS IN PROGRESS; TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THEIR SIGNATURE TO SAID AGREEMENT. (P 4-2-96, 2400 Nob Hill Road) (tabled from August 4, 1996)**

6.5
R-96-257 **AMENDED AGREEMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A SECOND AMENDED AGREEMENT BETWEEN THE TOWN OF DAVIE AND BROWARD COUNTY FOR FUNDING EASTSIDE NEIGHBORHOOD IMPROVEMENTS FOR FY 1996-97. (one month extension)**

6.6
R-96-258 **TOWN HOLIDAYS - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE HOLIDAYS TO BE OBSERVED BY THE TOWN OF DAVIE FOR FISCAL YEAR 1996-97; AND PROVIDING AN EFFECTIVE DATE.**

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- 6.7
R-96-259 **MITIGATION - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A REQUEST FOR MITIGATION OF THE CODE ENFORCEMENT FINES IN CASE NO. 93-135 FROM \$12,400 IN AMOUNT TO \$750; AND PROVIDING AN EFFECTIVE DATE. (R.J.C. and Associates)**
- 6.8
R-96-260 **MITIGATION - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A REQUEST FOR MITIGATION OF THE CODE ENFORCEMENT FINES IN CASE NO. 94-183 FROM \$51,000 IN AMOUNT TO \$4,000; AND PROVIDING AN EFFECTIVE DATE. (Michelle Hayes)**
- 6.9
R-96-261 **MITIGATION - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A REQUEST FOR MITIGATION OF THE CODE ENFORCEMENT FINE IN CASE NO. 96-115 FROM \$2,700 IN AMOUNT TO \$800; AND PROVIDING AN EFFECTIVE DATE. (Konover and Associates South, Inc.)**
- 6.10
R-96-262 **BID - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID FOR PLAYGROUND EQUIPMENT, VOLUSIA COUNTY BID 94-B-06. (Park Structures, Inc. - \$29,649)**
- 6.11
R-96-263 **BID - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID FOR CONCRETE RECREATIONAL PATHS. (Doug Amos Construction)**
- 6.12
R-96-264 **ARENA RENTAL - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE TOWN OF DAVIE TO ENTER INTO A RODEO ARENA LEASE AGREEMENT BETWEEN THE US TEAM PENNING ASSOCIATION AND THE TOWN OF DAVIE. (September 7, 1996; arena rental fee - \$500)**
- 6.13
R-96-265 **ARENA RENTAL - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE TOWN TO ENTER INTO AN AGREEMENT WITH THE Gold Coast Dog Club, Inc., FOR THE RENTAL OF THE DAVIE ARENA TO PRESENT DOG HANDLING CLASSES. (October 1, 1996 - April 1, 1997; arena rental fee - \$1,800)**
- 6.14
R-96-266 **ARENA RENTAL - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE TOWN OF DAVIE TO ENTER INTO AN AGREEMENT BETWEEN THE DAVIE RODEO ASSOCIATION, INC. AND THE TOWN OF DAVIE, FLORIDA. (September 4, 1996 - February 5, 1997; arena rental fee - \$100/date plus \$5,000 in capital improvements)**
- 6.15
R-96-267 **ARENA RENTAL - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE TOWN OF DAVIE TO ENTER INTO AN AGREEMENT WITH FIVE STAR RODEO FOR THE RENTAL OF THE DAVIE ARENA. (September 14, 1996; arena rental fee - \$500)**

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- 6.16 **ARENA RENTAL - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,**
R-96-268 **AUTHORIZING THE TOWN OF DAVIE TO ENTER INTO AN AGREEMENT WITH THE HOLLYWOOD DOG CLUB FOR THE RENTAL OF THE DAVIE ARENA. (February 1 - 2, 1997; arena rental fee - \$1,000)**
- 6.17 **ARENA RENTAL - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,**
R-96-269 **AUTHORIZING THE TOWN OF DAVIE TO ENTER INTO AN AGREEMENT WITH DREAM CATCHER FARM FOR THE RENTAL OF THE DAVIE ARENA. (December 21, 1996 - February 15, 1997; arena rental fee - \$1,000/performance)**
- 6.18 **ARENA RENTAL - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,**
R-96-270 **AUTHORIZING THE TOWN OF DAVIE TO ENTER INTO AN AGREEMENT WITH FIVE STAR RODEO FOR THE RENTAL OF THE DAVIE ARENA. (January 24 - June 28, 1997; arena rental fee - \$500/performance plus \$5,000 in capital improvements)**
- 6.19 **REQUEST FOR PROPOSAL - A RESOLUTION OF THE TOWN OF DAVIE,**
R-96-271 **FLORIDA, AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE AN AGREEMENT WITH JOHN H. NICHOLSON D/B/A FACILITY CONSULTING ASSOCIATES FOR CONSULTING SERVICES REGARDING PREPARATION OF A REQUEST FOR PROPOSALS FOR OPERATION OF THE TOWN'S RODEO ARENA; AND PROVIDING AN EFFECTIVE DATE. (Facility Consulting Associates)**
- 6.20 **CHANGE ORDER - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,**
R-96-272 **AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT CHANGE ORDER FOR CONSTRUCTION OF AN ATHLETIC FIELD AT FLAMINGO ELEMENTARY SCHOOL. (\$25,443.20 net increase)**
- 6.21 **AMENDING COMMITTEE MEMBERSHIP - A RESOLUTION OF THE TOWN OF DAVE, FLORIDA, AMENDING THE MEMBERSHIP OF THE JOINT ECONOMIC DEVELOPMENT STEERING COMMITTEE. (decrease membership from six to five members)**
- 6.22 **INSURANCE - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,**
R-96-273 **AUTHORIZING RENEWAL OF THE TOWN'S AGREEMENT WITH THE FLORIDA LEAGUE OF CITIES, INC. FOR LIABILITY, PROPERTY, AND WORKERS' COMPENSATION INSURANCE; AND RENEWAL OF INSURANCE POLICIES UNDERWRITTEN BY FLORIDA LEAGUE OF CITIES, INC.**

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- 6.23 SPECIAL ASSESSMENT - A RESOLUTION OF THE TOWN OF DAVIE,**
R-96-274 FLORIDA, RELATING TO THE SPECIAL ASSESSMENT DISTRICT IMPROVEMENTS FOR THE INSTALLATION OF A POTABLE WATER SYSTEM FOR TRACT 16, SECTION 27, TOWNSHIP 50 SOUTH, RANGE 40 EAST OF FLORIDA FRUITLANDS CO. SUBDIVISION, RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, TOGETHER WITH PORTIONS OF THE SOUTH ONE-THIRD OF THE SOUTHEAST ONE-QUARTER OF SECTION 22, TOWNSHIP 50 SOUTH, RANGE 40 EAST LESS THE ADJOINING PUBLIC AND PRIVATE RIGHTS-OF-WAY; ALSO KNOWN AS LOTS 1 THROUGH 136 OF SUNNYLANE FARMS (UNRECORDED), ALL OF SAID PROPERTY BEING WITHIN THE TOWN OF DAVIE, BROWARD COUNTY, FLORIDA, CONFIRMING AND RATIFYING RESOLUTION R-96-89; ADOPTING THE MODIFIED ASSESSMENT ROLL FOR SUNNYLANE FARMS AND LANDS TO THE SOUTH KNOWN AS THE SEMINOLE HEALTH CLUB; PROVIDING THAT THE ASSESSMENTS SHALL BE A FIRST LIEN AGAINST THE PROPERTY; DIRECTING THE TOWN CLERK TO RECORD THE ASSESSMENTS IN THE IMPROVEMENT LIEN BOOK; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.
- 6.24 SUBDIVISION PLAT - A RESOLUTION OF THE TOWN OF DAVIE,**
R-96-275 FLORIDA, APPROVING A SUBDIVISION PLAT AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SUCH PLAT; AND PROVIDING AN EFFECTIVE DATE. (P 1-2-96, Imagination Farms East, 13601 Orange Drive)
- 6.25 CREATING/DELETING CLASS SPECIFICATION - A RESOLUTION OF THE**
R-96-276 TOWN OF DAVIE, FLORIDA, CREATING THE CLASS SPECIFICATION FOR GRANTS ADMINISTRATOR AND DELETING THE CLASS SPECIFICATION FOR RESEARCH AND DEVELOPMENT COORDINATOR IN THE NON-REPRESENTED PAY AND CLASSIFICATION PLAN AND TO BE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT.
- 6.26 INTERLOCAL AGREEMENT - A RESOLUTION OF THE TOWN OF DAVIE,**
R-96-277 FLORIDA AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO ENTER INTO AN INTERLOCAL AGREEMENT WITH BROWARD COUNTY PROVIDING FOR THE JOINT FUNDING OF IMPROVEMENTS AT THE INTERSECTION OF HAWKE'S BLUFF AVENUE AND GRIFFIN ROAD AND AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THEIR SIGNATURES TO SUCH DOCUMENT.

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- 6.27 DE-CERTIFYING BILLBOARD SITE - A RESOLUTION OF THE TOWN OF**
R-96-278 **DAVIE, FLORIDA, DE-CERTIFYING A PREVIOUSLY CERTIFIED BILLBOARD SITE PURSUANT TO THE REQUEST OF THE BOYS AND GIRLS CLUB OF BROWARD COUNTY, INC. AND GOLD COAST ADVERTISING; AND PROVIDING AN EFFECTIVE DATE.**
- 6.28 CERTIFYING BILLBOARD SITE - A RESOLUTION OF THE TOWN OF**
R-96-279 **DAVIE, FLORIDA, CERTIFYING BILLBOARD SITES PURSUANT TO SECTION 12-238(J)(9) OF THE CODE OF THE TOWN OF DAVIE PURSUANT TO THE REQUEST OF THE DAVIE POLICE ATHLETIC LEAGUE, INC., THE BOYS AND GIRLS CLUB OF BROWARD COUNTY, INC. AND GOLD COAST ADVERTISING; AND PROVIDING AN EFFECTIVE DATE.**
- 6.29 TELECOMMUNICATIONS GROUP - A RESOLUTION OF THE TOWN OF**
R-96-280 **DAVIE, FLORIDA, AUTHORIZING PARTICIPATION IN THE TELECOMMUNICATIONS GROUP COMPRISED OF BROWARD COUNTY MUNICIPALITIES DESIRING TO SHARE THE COSTS FOR EMPLOYING A CONSULTANT TO DRAFT MODEL CABLE/TELECOMMUNICATIONS LEGISLATION CONSISTENT WITH THE TELECOMMUNICATIONS ACT OF 1996 ("ACT"); AUTHORIZING PARTICIPATION IN THE INTERLOCAL AGREEMENT BETWEEN MUNICIPALITIES OF BROWARD COUNTY FORMING THE TELECOMMUNICATIONS GROUP; AUTHORIZING THE EXPENDITURE OF MONEY TO FUND THE EMPLOYMENT OF CONSULTANTS WITH EXPERTISE IN THE ACT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**
- 6.30 CERTIFYING BILLBOARD SITE - A RESOLUTION OF THE TOWN OF**
R-96-281 **DAVIE, FLORIDA, CERTIFYING BILLBOARD SITES PURSUANT TO SECTION 12-238(J)(9) OF THE CODE OF THE TOWN OF DAVIE PURSUANT TO THE REQUEST OF THE EASE FOUNDATION INC. AND ACKERLEY COMMUNICATIONS GROUP, INC.; AND PROVIDING AN EFFECTIVE DATE.**

Vice-Mayor Cox asked that item 6.28 be removed from the Consent Agenda Mayor Venis asked that items 6.3, 6.4, 6.22, and 6.24 be removed. An unidentified man asked that item 6.20 be removed. Councilmember Santini asked that item 6.10 be removed. Mr. Flatley asked that item 6.30 be removed.

Councilmember Kiar made a motion, seconded by Councilmember Santini, to add item 6.30. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Mr. Flatley asked that item 6.21 be removed. An unidentified man (Arthur Joseph) asked that item 6.1 be read and for item 6.19 to be removed.

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Vice-Mayor Cox made a motion, seconded by Councilmember Santini, to approve the Consent Agenda without items 6.1, 6.3, 6.4, 6.10, 6.19, 6.21, 6.22, 6.24, 6.28, and 6.30. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

6.1 Town Clerk Reinfeld read the proclamation in its entirety.

Councilmember Kiar made a motion, seconded by Councilmember Santini, to approve 6.1. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

6.3 and 6.4 Mayor Venis asked for an individual vote.

Councilmember Santini made a motion, seconded by Vice-Mayor Cox, to approve 6.1. In a roll call, the vote was as follows: Mayor Venis - no; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - no; and Councilmember Santini - yes. (Motion carried 3-2)

6.10 and 6.20 Ms. Pierce-Kent explained the resolutions and indicated that the Town would have no obligation for the cost of the playground equipment or its installation as the Broward County School Board would be issuing a purchase order.

Councilmember Santini made a motion, seconded by Councilmember Kiar to approve 6.10 and 6.20. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

6.19 Mr. Flatley indicated that it had previously been discussed that the arena needed to be a revenue producer and this resolution provided for a consultant to help with the request for proposal process.

Councilmember Santini made a motion, seconded by Vice-Mayor Cox, to approve 6.19. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

6.21 After some discussion, it was decided to leave this Committee at six members and the resolution was withdrawn. Councilmember Santini and Bush indicated their desire to be appointed to this Committee.

Councilmember Kiar made a motion, seconded by Vice-Mayor Cox, to withdraw item 6.21. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Councilmember Kiar asked that item 10.3 be taken out of order. No objections were noted.

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10.3 Councilmember Kiar nominated Councilmember Santini, which was seconded by Vice-Mayor Cox. In a voice vote, all voted in favor.

Mayor Venis nominated Councilmember Bush, which was seconded by Councilmember Santini. In a voice vote, all voted in favor.

6.22 Mayor Venis indicated that other individuals wanted to provide a quote on the Town's insurance and questioned if the current insurance policy could be canceled if the figures were dramatically lower. Town Clerk Reinfeld replied that the policy contained a cancellation clause, however, a request for proposal would have to be created as quotes were not solicited.

Kurt Heyman, representing the Florida League of Cities, advised that the cancellation provision was 45 days. Councilmember Santini questioned if the League's rates were compared to larger, stable companies. Mr. Heyman replied that the League developed its rates actuarially each year and added that the Town's overall premium increased approximately 2.5% because of increased exposures. He stated that the League had been quite successful in holding its rates in line and indicated that over the last two years, the Town had saved approximately \$140,000 with its current program.

Al Tyler stated that the bids should have been "put in together and come out together" and he hated to see one company having a monopoly on the insurance.

Vice-Mayor Cox made a motion, seconded by Councilmember Santini, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

6.24 Mayor Venis asked for a separate vote on this issue.

Vice-Mayor Cox made a motion, seconded by Councilmember Santini, to approve. In a roll call, the vote was as follows: Mayor Venis - no; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - no; and Councilmember Santini - yes. (Motion carried 3-2)

6.28 Vice-Mayor Cox asked for a separate vote on this issue. Councilmember Santini indicated that she would like a vote on each of the four sites.

Debbie Orshefsky indicated that in July, Council certified nine billboard sites for the Boys and Girls Club. She explained that tonight's certification would be made available for both the Boys and Girls Club and the Police Athletic League.

Ms. Orshefsky advised that site 1 was located on the south side of I-595, east of 130th Street which Council had previously denied. She provided further details that she hoped would change Council's perspective to its certification.

Councilmember Santini made a motion, seconded by Councilmember Bush, to approve site 1. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - no; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 4-1)

Ms. Orshefsky stated that site 2 was located within the 8200 Shopping Plaza, east of Pine Island Road just west of the City Furniture parcel. Discussion followed.

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Councilmember Santini made a motion, seconded by Vice-Mayor Cox, to deny site 2.

Joel Gustafson discussed the fact that someone could tie up 3,000 feet of frontage as was happening at tonight's meeting. Ms. Orshefsky clarified the record on a legal, technical and factual basis.

Greg Hibbs, Ackerley Outdoor, advised that it was being indicated that Mr. Zartolas owned Parcel C, however, Mr. Zartolas owned Parcel A.

Councilmember Bush questioned if the lease would decide who would be the determining factor should Council certify this site. Mr. Webber replied negatively and confirmed it was strictly the applicant.

Ms. Orshefsky indicated that the legal description might be incorrect but the picture of the location was correct.

In a roll call, the vote was as follows: Mayor Venis - no; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - no; and Councilmember Santini - yes. (Motion carried 3-2)

Ms. Orshefsky stated that the location for site 3 was on the south side of I-595, approximately 700 feet west of University Drive near the rear portion of the Service Merchandise building.

Councilmember Santini made a motion, seconded by Councilmember Bush, to approve site 3. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - no; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 4-1)

Ms. Orshefsky stated that the location for site 4 was near the proposed public safety facility and elementary school.

Councilmember Santini made a motion, seconded by Vice-Mayor Cox, to approve site 4. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Mayor Venis indicated that he had received a request to table items 8.13 and 8.14.

Dick Coker, representing the petitioners, asked that these items be tabled to the first meeting in September.

Vice-Mayor Cox made a motion, seconded by Councilmember Kiar, to table items 8.13 and 8.14 until September 4, 1996. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

6.28 Vice-Mayor Cox made a motion, seconded by Councilmember Kiar, to approve the resolution. Mr. Webber confirmed that the resolution was only for those sites that were approved. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

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that there be a one meeting interval before another site was approved.

6.30 Joel Gustafson, representing Ackerley Communications, advised that the distance requirements had been met and confirmed that the site was located on SW 133 Avenue and State Road 84. Councilmember Santini asked if alcohol, tobacco and sexually related products would be prohibited. Mr. Gustafson replied affirmatively. An unidentified man advised that the EASE foundation would receive 6% of gross or a minimum of \$8,500. Another unidentified man advised that this site would provide a minimum of \$9,000.

Ms. Orshefsky advised that this site had previously been denied certification by Council.

Councilmember Santini made a motion, seconded by Vice-Mayor Cox, to approve the resolution. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

7. SITE PLANS

7.1 SP 6-8-96, Growers Ford at Westport Business Park, located on Davie Road north of Nova Drive, south of State Road 84 (M-4, Broward County) *Planning and Zoning Division approved subject to the planning report; Site Plan Committee approved subject to the planning report Council ensuring that the engineer updates architectural drawings reflecting the elimination of [building] columns, and bringing color chips with the advice from the Site Plan Committee that the peach color be a light shade*

Gus Aguirre, representing the petitioner, was present. Ms. Mellgren read the planning report.

Vice-Mayor Cox made a motion, seconded by Councilmember Santini, to approve subject to the planning report and the colors that were represented. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

7.2 SP 7-4-96, Modular Buildings for Gloria Dei Learning Center, 7601 SW 39 Street (CF) *Planning and Zoning Division approved; Site Plan Committee approved*

Gus Aguirre, representing the petitioner, was present. Ms. Mellgren read the planning report.

Councilmember Kiar made a motion, seconded by Vice-Mayor Cox, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

8. PUBLIC HEARINGS

Mayor Venis opened the public hearing portion of the meeting.

**TOWN COUNCIL MINUTES
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Resolution

- 8.1 **PURCHASE OF PROPERTY - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE PURCHASE AGREEMENT PROVIDING FOR PURCHASE BY THE TOWN OF DAVIE FROM THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA OF APPROXIMATELY 8.0 ACRES FOR USE BY THE TOWN FOR POLICE FACILITIES AND OTHER PUBLIC PURPOSES; AND PROVIDING AN EFFECTIVE DATE.**
R-96-282

Town Clerk Reinfeld read the resolution by title.

Mayor Venis asked if anyone wished to speak for or against the resolution

Arthur Joseph, 13700 SW 18 Court, questioned what would happen with the land if the referendum was denied. Mr. Flatley advised that the property had been purchased at approximately \$50,000 an acre which was much less than the property value.

Al Tyler, 8090 SW 19 Court, asked the purchase price. Chief Mackie advised that the total cost of the land with site preparation was \$980,000 and would be paid for by forfeiture funds which was approved by Attorney General Janet Reno's Office.

Mayor Venis closed the public hearing.

Councilmember Kiar made a motion, seconded by Councilmember Santini, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Ordinances - Second and Final Reading

- 8.2 **CHARTER CHANGES - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, ADOPTING A NEW CHARTER; PROVIDING FOR PORTIONS OF THE EXISTING CHARTER TO BE CONVERTED TO ORDINANCES; PROVIDING FOR CREATION AND POWERS; PROVIDING FOR CORPORATE LIMITS; PROVIDING FOR POWER AND JURISDICTION; PROVIDING FOR LEGISLATIVE POWERS OF TOWN; PROVIDING FOR FORM OF GOVERNMENT; PROVIDING FOR ADMINISTRATIVE DEPARTMENT; PROVIDING FOR THE COUNCIL, MAYOR AND LEGISLATION; PROVIDING FOR FINANCE; PROVIDING FOR ELECTIONS; AND PROVIDING FOR TRANSITION SCHEDULE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (tabled from 07/03/96)**

This item was withdrawn earlier in the meeting.

- 8.3 **CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE TOWN CODE BY AMENDING ARTICLE XIII, DIVISION 1, ENTITLED WESTERN THEME DISTRICT; REVISING SECTIONS CONCERNING REVIEW PROCEDURE, SETBACKS, USES & HEIGHTS IN COMMERCIAL ZONES, WESTERN THEME DEVELOPMENT MANUAL, OUTDOOR LIGHTING, SIGNAGE, PARKING AND TRAFFIC CIRCULATION, AND LANDSCAPING; PROVING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**
96-35

Town Clerk Reinfeld read the ordinance by title.

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member Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

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Councilmember Santini requested that should there be a resolution to decertify a site, that there be a one meeting interval before another site was approved.

6.30 Joel Gustafson, representing Ackerley Communications, advised that the distance requirements had been met and confirmed that the site was located on SW 133 Avenue and State Road 84. Councilmember Santini asked if alcohol, tobacco and sexually related products would be prohibited. Mr. Gustafson replied affirmatively. An unidentified man advised that the EASE foundation would receive 6% of gross or a minimum of \$8,500. Another unidentified man advised that this site would provide a minimum of \$9,000.

Ms. Orshefsky advised that this site had previously been denied certification by Council.

Councilmember Santini made a motion, seconded by Vice-Mayor Cox, to approve the resolution. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

7. SITE PLANS

7.1 SP 6-8-96, Growers Ford at Westport Business Park, located on Davie Road north of Nova Drive, south of State Road 84 (M-4, Broward County) *Planning and Zoning Division approved subject to the planning report; Site Plan Committee approved subject to the planning report Council ensuring that the engineer updates architectural drawings reflecting the elimination of [building] columns, and bringing color chips with the advice from the Site Plan Committee that the peach color be a light shade*

Gus Aguirre, representing the petitioner, was present. Ms. Mellgren read the planning report.

Vice-Mayor Cox made a motion, seconded by Councilmember Santini, to approve subject to the planning report and the colors that were represented. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

7.2 SP 7-4-96, Modular Buildings for Gloria Dei Learning Center, 7601 SW 39 Street (CF) *Planning and Zoning Division approved; Site Plan Committee approved*

Gus Aguirre, representing the petitioner, was present. Ms. Mellgren read the planning report.

Councilmember Kiar made a motion, seconded by Vice-Mayor Cox, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

8. PUBLIC HEARINGS

Mayor Venis opened the public hearing portion of the meeting.

**TOWN COUNCIL MINUTES
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Resolution

- 8.1 PURCHASE OF PROPERTY - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE PURCHASE AGREEMENT PROVIDING FOR PURCHASE BY THE TOWN OF DAVIE FROM THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA OF APPROXIMATELY 8.0 ACRES FOR USE BY THE TOWN FOR POLICE FACILITIES AND OTHER PUBLIC PURPOSES; AND PROVIDING AN EFFECTIVE DATE.**

Town Clerk Reinfeld read the resolution by title.

Mayor Venis asked if anyone wished to speak for or against the resolution

Arthur Joseph, 13700 SW 18 Court, questioned what would happen with the land if the referendum was denied. Mr. Flatley advised that the property had been purchased at approximately \$50,000 an acre which was much less than the property value.

Al Tyler, 8090 SW 19 Court, asked the purchase price. Chief Mackie advised that the total cost of the land with site preparation was \$980,000 and would be paid for by forfeiture funds which was approved by Attorney General Janet Reno's Office.

Mayor Venis closed the public hearing.

Councilmember Kiar made a motion, seconded by Councilmember Santini, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Ordinances - Second and Final Reading

- 8.2 CHARTER CHANGES - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, ADOPTING A NEW CHARTER; PROVIDING FOR PORTIONS OF THE EXISTING CHARTER TO BE CONVERTED TO ORDINANCES; PROVIDING FOR CREATION AND POWERS; PROVIDING FOR CORPORATE LIMITS; PROVIDING FOR POWER AND JURISDICTION; PROVIDING FOR LEGISLATIVE POWERS OF TOWN; PROVIDING FOR FORM OF GOVERNMENT; PROVIDING FOR ADMINISTRATIVE DEPARTMENT; PROVIDING FOR THE COUNCIL, MAYOR AND LEGISLATION; PROVIDING FOR FINANCE; PROVIDING FOR ELECTIONS; AND PROVIDING FOR TRANSITION SCHEDULE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (tabled from 07/03/96)**

This item was withdrawn earlier in the meeting.

- 8.3 CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE TOWN CODE BY AMENDING ARTICLE XIII, DIVISION 1, ENTITLED WESTERN THEME DISTRICT; REVISING SECTIONS CONCERNING REVIEW PROCEDURE, SETBACKS, USES & HEIGHTS IN COMMERCIAL ZONES, WESTERN THEME DEVELOPMENT MANUAL, OUTDOOR LIGHTING, SIGNAGE, PARKING AND TRAFFIC CIRCULATION, AND LANDSCAPING; PROVING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

Town Clerk Reinfeld read the ordinance by title.

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Mayor Venis asked if anyone wished to speak for or against the ordinance.

Al Tyler, 8090 SW 19 Court, hoped this amendment made the Western Theme requirements easier and asked for an explanation which was provided by Redevelopment Administrator Glenn Irwin.

Neal Kalis, Chairman of the Community Redevelopment Agency, spoke in favor.

Chuck Bonfiglio, Chairman of the Davie/Cooper City Chamber of Commerce, spoke in favor.

Mayor Venis closed the public hearing.

Councilmember Kiar made a motion, seconded by Vice-Mayor Cox, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

8.4 **CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE,**
96-36 **FLORIDA, AMENDING SECTION 12-30, TABLE 12-32(C) OF THE CODE OF DAVIE ENTITLED, "TABLE OF PERMITTED USES (C), BUSINESS PARK AND INDUSTRIAL DISTRICTS" AND SECTION 12-503 ENTITLED, "DEFINITIONS", TO PERMIT FOOD PROCESSING FACILITIES IN THE M-1, M-2 AND M-3 ZONING DISTRICTS, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Reinfeld read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance.

Ms. Mellgren explained the ordinance and asked that the ordinance only apply in M-3 zonings.

Al Tyler, 8090 SW 19 Court, asked if this ordinance related to hot dog vendors. Ms. Mellgren replied negatively.

Mayor Venis closed the public hearing.

Vice-Mayor Cox made a motion, seconded by Councilmember Santini, to amend the ordinance to read only M-3 and to strike M-1 and M-2. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Vice-Mayor Cox made a motion, seconded by Councilmember Santini, to approve item 8.4 as amended. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

3.2 Mayor Venis presented Battalion Chief DePaola with a service award.

8.5 **AMENDMENT TO PERSONNEL RULES AND REGULATIONS - AN**
96-37 **ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, REVISING THE TOWN OF DAVIE'S PERSONNEL RULES AND REGULATIONS BY AMENDING RULE I, SECTION 11, REGARDING HARASSMENT; AMENDING VARIOUS SECTIONS OF RULE X REGARDING LEAVES OF ABSENCE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

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Town Clerk Reinfeld read the ordinance by title. Councilmember Kiar indicated that he would need to abstain from voting on this item because his daughter was a Town employee.

Mayor Venis asked if anyone wished to speak for or against the ordinance. As no one spoke, the public hearing was closed.

Councilmember Santini made a motion, seconded by Vice-Mayor Cox, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - abstained; and Councilmember Santini - yes. (Motion carried 4-0)

8.6 PETITIONER REQUESTING A TABLING TO SEPTEMBER 18, 1996

LAND USE PLAN AMENDMENT - LA BC 96-2, Rubin/Sunny Lakes, Inc., 5400 Griffin Road (from R-5 to RO and C) (tabled from May 15, 1996) *Town Council denied (3-2, June 19, 1996)*

This item was tabled earlier in the meeting.

8.7 STAFF REQUESTING A TABLING TO SEPTEMBER 4, 1996

VACATION/ABANDONMENT - VA 1-2-96A, G.L. Homes of Davie Corporation, 3001 Nob Hill Road (to vacate a recreational path easement within Parcel "A" of the Buckram Oak Farm Plat) *Planning and Zoning Division approved; Planning and Zoning Board approved*

This item was tabled earlier in the meeting.

8.8 PLANNING AND ZONING BOARD TABLED TO AUGUST 28, 1996; COUNCIL CAN TABLE TO SEPTEMBER 4, 1996

REZONING - ZB 7-1-96, Keith & Ballbe', Inc./Rabenau, 7900 Stirling Road (from R-5 to RM-5)

This item was tabled earlier in the meeting.

8.9 PETITIONER REQUESTING A TABLING TO OCTOBER 2, 1996

VARIANCE - V 4-6-96, Jeff Falkanger & Associates, Inc./West Broward Professional Condominium Association, 7320 Griffin Road (B-2) (to reduce the required front setback from 25 feet to 19.34; to reduce the required landscape island width from 9 feet to 5 feet along the west property line; to reduce the required landscape buffer from 10 feet to 3 feet along the south property line; to reduce the required landscape buffer along SW 73 Avenue from 20 feet to 10.5 feet; to reduce the minimum separation from 5 feet to 4 feet along the west property line and from 5 feet to 3 feet along the south property line) (tabled from July 17, 1996) *Planning and Zoning Division approved; Planning and Zoning Board approved*

This item was tabled earlier in the meeting.

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8.10 PLANNING AND ZONING BOARD TABLED TO AUGUST 28, 1996; COUNCIL CAN TABLE TO SEPTEMBER 4, 1996

VARIANCE - V 6-2-96, Weiss/Ceresne, 15703 SW 31 Street (A-1) (tabled from August 7, 1996)

This item was tabled earlier in the meeting.

8.11 PLANNING AND ZONING BOARD TABLED TO AUGUST 28, 1996; COUNCIL CAN TABLE TO SEPTEMBER 4, 1996

VARIANCE - V 6-3-96, Weiss/Duncan, south side of State Road 84, between Hiatus Road and Nob Hill Road (A-1) (tabled from August 7, 1996)

This item was tabled earlier in the meeting.

8.12 PLANNING AND ZONING BOARD TABLED TO AUGUST 28, 1996; COUNCIL CAN TABLE TO SEPTEMBER 4, 1996

VARIANCE - V 6-4-96, Weiss/Maggert and Grabowski, 4730 SW 83 Terrace (M-1) (tabled from August 7, 1996)

This item was tabled earlier in the meeting.

8.13 VARIANCE - V 7-1-96, Glen/Weitzer, 1520 SW 106 Terrace (PRD-5) (to reduce the required peripheral setback from 25 feet to 0 feet along the eastern boundary of the lot) *Planning and Zoning Division approved; Planning and Zoning Board approved*

This item was tabled earlier in the meeting.

8.14 VARIANCE - V 7-2-96, Kitay/Weitzer, 1500 SW 106 Terrace (PRD-5) (to reduce the required peripheral setback from 25 feet to 0 feet along the eastern boundary of the lot) *Planning and Zoning Division approved; Planning and Zoning Board approved*

This item was tabled earlier in the meeting.

8.15 REZONING - ZB 6-1-96, AT&T Wireless/So. Broward Utilities, Inc., 15400 Slydgemill Road (from U to U, amending the Master Plan) (tabled from August 7, 1996) *Planning and Zoning Division approved subject to the planning report; Planning and Zoning Board denied*

Mr. Webber explained the rules concerning the admission of evidence. Town Clerk Reinfeld swore in the witnesses. Ms. Mellgren advised that her resume was on file with the Town which qualified her as an expert. She read the planning report and stated that the following documents were to be included into the record: resume, the application, the subject site map, planning report, an aerial, and the existing and proposed conceptual master plans.

Debbie Orshefsky, representing the petitioner, stipulated and accepted the staff's recommendation. She explained the request and offered photographs into evidence. Ms. Orshefsky submitted a letter from Corey Gorman regarding the monopole on Slydgemill Road not being designed for co-location with users other than BellSouth Mobility.

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Councilmember Santini thought the proposed location was the perfect location for an antennae because of the sludge and this was not a residential area. Discussion followed with Tony Florres, representing AT&T Wireless, explaining operations with existing companies and tower specifications. Vice-Mayor Cox indicated that the Town needed to develop a procedure on the location of towers that other companies could utilize. Councilmember Santini stated that currently, the Town did not participate in the revenue and she would rather have the companies "put on our tower" so the Town would receive the revenue.

Councilmember Kiar questioned if it was AT&T's commitment that another company would be able to use the tower. Mr. Florres replied affirmatively.

Mr. Florres advised that AT&T would like to participate in the Town's preparation of ordinances regarding telecommunications.

Councilmember Santini asked if the petitioner would allow additional companies on the pole and would revenue share with the Town if Council approved the private site. Mr. Florres indicated that there would be space on the pole for another user and that the user would have to work out the negotiations for space on the ground. He said that AT&T would need to recover the expense to design the pole for two users. Mr. Florres added that if the Town had properties that it would allow the wireless companies to participate in, there would be ample opportunities for good revenue sources.

Mr. Webber asked if anyone wished to provide testimony in favor of the rezoning. No one spoke.

Mr. Webber asked if anyone wished to provide testimony in opposition to the rezoning. The following individuals spoke:

Jay Stahl, 5801 Surrey Circle West.

Councilmember Santini provided pictures of different types of pine trees that Ms. Orshefsky had no objection to offering into evidence.

Jay Enten, 4800 Hawkes Bluff Avenue.

Al Tyler, 8090 SW 19 Court.

Arthur Joseph, 13801 SW 18 Court, was sworn in and questioned the use of satellites with Mr. Florres providing an explanation.

Mr. Webber stated that the hearing was concluded and Council could deliberate.

Councilmember Santini stated that she thought that the proposed location was an appropriate area for the antennae and recommended approval. Vice-Mayor Cox indicated that she did not think the antenna was a problem in this area which was probably a better site than another. Councilmember Kiar stated that he was concerned for the future as far as proliferation.

Ms. Orshefsky recommended that a fifth condition be added that would require that the petitioner design the pole to accommodate a second user.

Councilmember Bush made a motion, seconded by Vice-Mayor Cox, to approve subject to the condition of the additional user. Councilmember Santini advised that she had spoken to the petitioner's attorney on August 21st on the same issues that were discussed and this contact had not "reflected" her decision.

In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

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9. ORDINANCES - FIRST READING (Public hearing to be held September 4, 1996)

- 9.1 REVISION TO MASTER SITE PLAN - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING ORDINANCE 94-37 BY CHANGING SECTIONS 1(b) AND 1(c) TO PROVIDE FOR A REVISION TO THE APPROVED MASTER SITE PLAN AND DECLARATION OF RESTRICTIONS ASSOCIATED WITH THE REZONING APPROVAL; AND PROVIDING AN EFFECTIVE DATE. (ZB 6-1-96, 15400 Slydgemill Road)**

Town Clerk Reinfeld read the ordinance by title. Mayor Venis advised that a public hearing on this item would be held on September 4, 1996.

Vice-Mayor Cox made a motion, seconded by Councilmember Santini, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Mayor Venis indicated that a resolution needed to be added as item 9.2.

Councilmember Kiar made a motion, seconded by Vice-Mayor Cox, to add a resolution pertaining to the creation of the Charter Review Board as item 9.2. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

- 9.2 A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, CREATING THE CHARTER REVIEW BOARD, WHICH IS CREATED FOR THE PURPOSE OF REVIEWING THE CHARTER OF THE TOWN OF DAVIE AND MAKING RECOMMENDATIONS TO THE TOWN COUNCIL; AND PROVIDING AN EFFECTIVE DATE.**

Town Clerk Reinfeld read the resolution by title.

Vice-Mayor Cox stated that she would like the provision for appointing members from each Councilmember's district removed as the Board would not be reviewing the boundaries. No objections were noted.

Vice-Mayor Cox made a motion, seconded by Councilmember Kiar, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

10. APPOINTMENTS

- 10.1 Budget Advisory Committee (term expires December 1996; 1 exclusive appointment from Mayor Venis)**

Mayor Venis appointed John Reed.

- 10.2 Fire Pension Board (term expires December 1997; non-exclusive appointment)**

Vice-Mayor Cox nominated Charlie Shaw. Mayor Venis advised that he had received a resume from Arthur Joseph and he received calls regarding this vacancy but had not received resumes. Councilmember Santini seconded Vice-Mayor Cox's nomination. Richard Weiner stated that he was interested in filling the vacancy and indicated that his firm represented Davie's firefighters' union. Mr. Webber said that if the Town wished to

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consider Mr. Weiner, he would like the opportunity to review if the appointment was not a conflict. Councilmember Kiar indicated that he would like a legal opinion from the Florida Bar and from Mr. Webber.

In a roll call on Mr. Shaw's nomination, the vote was as follows: Mayor Venis - no; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 4-1)

10.3 Joint Economic Development Steering Committee (term expires August 1997; appointment of 1 Councilmember)

These appointments were made earlier in the meeting.

11. DISCUSSION AND POSSIBLE ACTION

11.1 **CREATION OF ADVISORY BOARD - A RESOLUTION OF THE TOWN OF R-96-283 DAVIE, FLORIDA, AUTHORIZING THE CREATION OF A PARKS AND RECREATION ADVISORY BOARD, PROVIDING FOR THE DEFINITION AND FUNCTIONS OF THE BOARD AND ESTABLISHING THE REQUIREMENTS FOR THE COMPOSITION AND ORGANIZATION THERE.**

This item was approved earlier in the meeting.

12. TOWN ADMINISTRATOR'S REPORT

12.1 Proposal to Schedule Wednesdays as Potential Meeting Days

Mr. Flatley indicated that by scheduling Wednesdays as meeting days, residents would be aware of potential meeting days. He stated that this would also allow staff to schedule meetings easier. There were no objections from Council.

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OLD DAVIESCHOOL. Mr. Flatley stated that the opening of the Old Davie School had to be rescheduled as there was a problem with repainting the building. He asked for Council's approval to transfer \$13,000 from capital monies to the Old Davie School project.

Mayor Venis passed the gavel and made the motion. Councilmember Kiar seconded the motion. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

REVIEW OF PLATS. Mr. Flatley stated that staff was suggesting that Council consider having the Site Plan Committee review plats rather than the Planning and Zoning Board. Ms. Mellgren advised that plats were a type of site plan issue and indicated that this suggestion would require a change to the Code with a public hearing. She indicated that she would bring this before the Planning and Zoning Board for its opinion.

**TOWN COUNCIL MINUTES
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TOWN ADMINISTRATOR'S REPORT

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Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Mayor Venis indicated that a resolution needed to be added as item 9.2.

Councilmember Kiar made a motion, seconded by Vice-Mayor Cox, to add a resolution pertaining to the creation of the Charter Review Board as item 9.2. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

9.2 R-96-284 A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, CREATING THE CHARTER REVIEW BOARD, WHICH IS CREATED FOR THE PURPOSE OF REVIEWING THE CHARTER OF THE TOWN OF DAVIE AND MAKING RECOMMENDATIONS TO THE TOWN COUNCIL; AND PROVIDING AN EFFECTIVE DATE.

Town Clerk Reinfeld read the resolution by title.

Vice-Mayor Cox stated that she would like the provision for appointing members from each Councilmember's district removed as the Board would not be reviewing the boundaries. No objections were noted.

Vice-Mayor Cox made a motion, seconded by Councilmember Kiar, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

10. APPOINTMENTS

10.1 Budget Advisory Committee (term expires December 1996; 1 exclusive appointment from Mayor Venis)

Mayor Venis appointed John Reed.

10.2 Fire Pension Board (term expires December 1997; non-exclusive appointment)

Vice-Mayor Cox nominated Charlie Shaw. Mayor Venis advised that he had received a resume from Arthur Joseph and he received calls regarding this vacancy but had not received resumes. Councilmember Santini seconded Vice-Mayor Cox's nomination. Richard Weiner stated that he was interested in filling the vacancy and indicated that his firm represented Davie's firefighters' union. Mr. Webber said that if the Town wished to

**TOWN COUNCIL MINUTES
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**TOWN COUNCIL MINUTES
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consider Mr. Weiner, he would like the opportunity to review if the appointment was not a conflict. Councilmember Kiar indicated that he would like a legal opinion from the Florida Bar and from Mr. Webber.

In a roll call on Mr. Shaw's nomination, the vote was as follows: Mayor Venis - no; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 4-1)

10.3 Joint Economic Development Steering Committee (term expires August 1997; appointment of 1 Councilmember)

These appointments were made earlier in the meeting.

11. DISCUSSION AND POSSIBLE ACTION

11.1 **CREATION OF ADVISORY BOARD - A RESOLUTION OF THE TOWN OF R-96-283 DAVIE, FLORIDA, AUTHORIZING THE CREATION OF A PARKS AND RECREATION ADVISORY BOARD, PROVIDING FOR THE DEFINITION AND FUNCTIONS OF THE BOARD AND ESTABLISHING THE REQUIREMENTS FOR THE COMPOSITION AND ORGANIZATION THERE.**

This item was approved earlier in the meeting.

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13. ADJOURNMENT

There being no objections or further business, the meeting was adjourned at 11:25 p.m.

APPROVED _____

Mayor/Councilmember

Town Clerk